

REMARKS

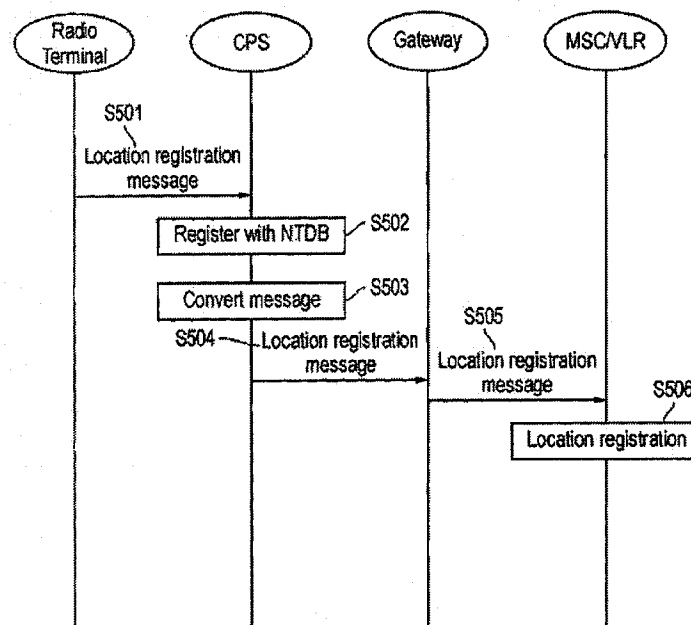
This Preliminary Amendment is being filed in response to the final Official Action of August 23, 2007, and the Advisory Action of January 18, 2008, and concurrent with a Request for Continued Examination (RCE). Pending Claims 1-3, 5, 7-13, 16-22, 25-31, 34-40, 43-49 and 52-54 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,177,636 to Oda et al. The remaining claims, namely Claims 4, 6, 14, 15, 23, 24, 32, 33, 41, 42, 50 and 51, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oda, in view of either U.S. Patent Application Publication No. 2003/0154293 to Zmolek, or U.S. Patent Application Publication No. 2004/0024879 to Dingman et al. Applicant does note, however, that the Official Action indicates Claim 6 is rejected as being anticipated by Oda, but substantively addresses Claim 6 as being unpatentable over Oda, in view of Dingman.

As explained below, however, Applicant respectfully submits that the claimed invention is patentably distinct from Oda, Zmolek and Dingman, taken individually or in any proper combination; and accordingly traverses these prior art rejections of the claims. Nonetheless, to advance prosecution of the present application, Applicant has amended various ones of the claims to further clarify aspects of the present invention. In view of the amendments to the claims and the remarks presented herein, Applicant respectfully requests reconsideration and allowance of all of the pending claims of the present application.

A. Claims 1-3, 5, 7-13, 16-22, 25-31, 34-40, 43-49 and 52-54 are Patentable

Pending Claims 1-3, 5, 7-13, 16-22, 25-31, 34-40, 43-49 and 52-54 stand rejected as being anticipated by Oda. Briefly and with reference to its FIG. 5 shown below, Oda discloses a system and method for registering the location of a radio terminal in a cellular network, where the registration is effectuated across an IP network. As disclosed, a radio terminal formulates an IP packet including a location registration message for a cellular network, and sends the message to a control proxy server (radio terminal controlling apparatus) via an IP network. The control proxy server stores a correspondence between identification information on a radio terminal and an IP address based on a location registration request. If necessary, a gateway (location registration auxiliary apparatus) converts the location registration request into the location

registration message in compliance with a standard of the cellular network. The location registration message is transferred to an MSC/VLR in the cellular network via the gateway, where the MSC/VLR registers the location of the radio terminal in the cellular network in response to the location registration message.

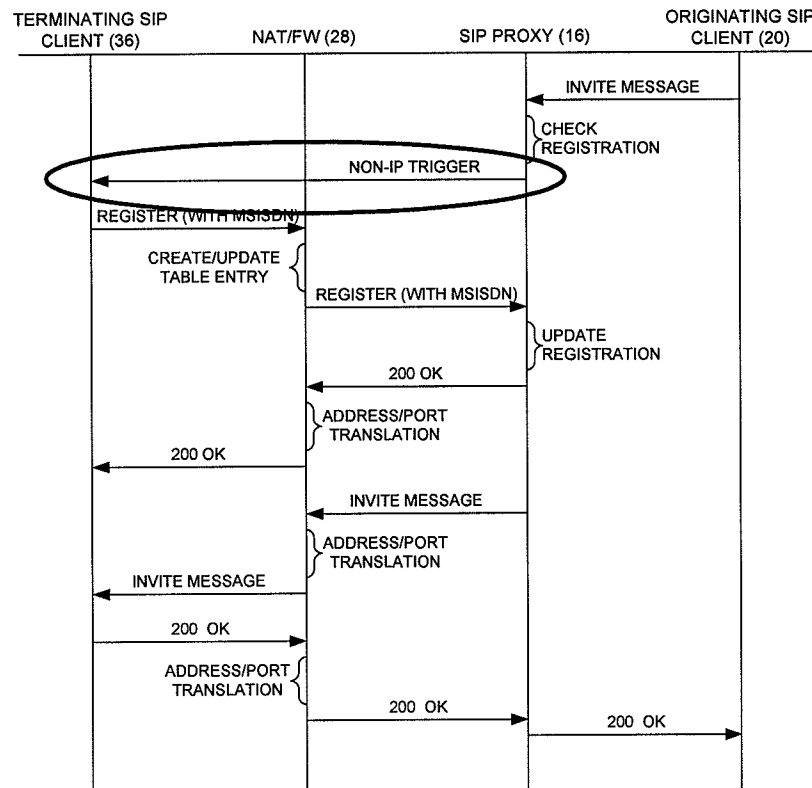


Oda, FIG. 5

1. Claims 1-9, 19-27 and 37-45 are Patentable over Oda

According to a first aspect of the present invention, as reflected by amended independent Claim 1 and illustrated for example by FIG. 5 of the present application shown below (horizontally flipped and annotated for comparison purposes), an apparatus (e.g., proxy **16**) is provided for establishing a communication session with a terminal (e.g., terminating SIP client **36**). As recited, the apparatus includes a processor located in a network (e.g., public network **12**) across which an originating client (e.g., originating SIP client **20**) is configured to communicate. The processor is configured to receive a connection request (e.g., INVITE MESSAGE), and in response thereto, send a network-independent trigger (e.g., NON-IP TRIGGER) to the terminal. In response to the trigger, the processor is configured to receive a registration message (e.g.,

REGISTER) via the network to thereby register the terminal with the apparatus and acquire a network-dependent identity of the terminal to thereby enable establishment of a communication session with the terminal based upon the network-dependent identity of the terminal.



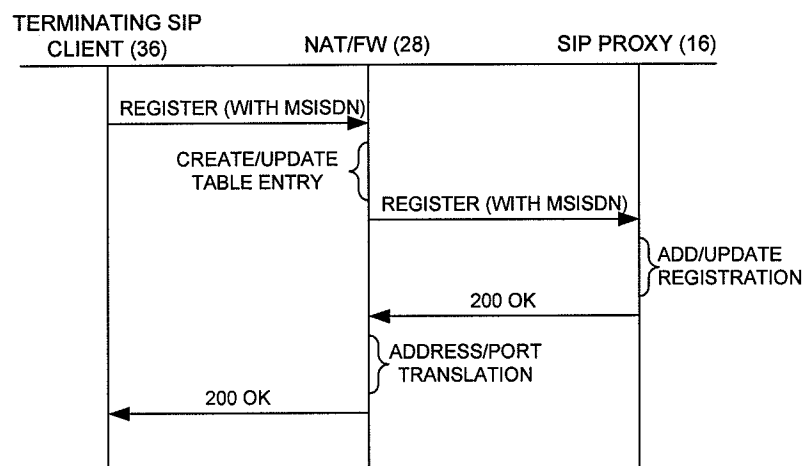
Pat Appl., FIG. 5 (flipped)

In contrast to the first aspect of the present invention (and, e.g., amended independent Claim 1 in particular), Oda (or Zmolek or Dingman) does not teach or suggest an apparatus (or processor thereof) in a network sending a network-independent trigger to a terminal, and in response thereto, receiving a response via the network to thereby register with the apparatus and acquire a network-dependent identity of the terminal to thereby enable establishment of a communication session with the terminal based upon the network-dependent identity. This distinction is clearly illustrated by comparison of FIG. 5 of Oda and FIG. 5 of the present application, where for example, Oda clearly does not include a network-independent trigger

(e.g., NON-IP TRIGGER) – circled in the annotated FIG. 5 of the present application – to trigger the terminal to register and acquire a network-dependent identity of the terminal. And further, nowhere does Oda teach or suggest receiving, in response to a network-independent trigger, a registration message via the network, to register the terminal and acquire a network-dependent identity of the terminal, similar to amended independent Claim 1.

2. Claims 10-18, 28-36 and 46-54 are Patentable over Oda

According to a second aspect of the present invention, as reflected by amended independent Claim 10 and illustrated for example by FIG. 4 of the present application shown below, an apparatus (e.g., proxy 16) for establishing a communication session with a terminal (e.g., terminating SIP client 36) again includes a processor. As recited, similar to independent Claim 1, the processor is located in a network (e.g., public network 12) across which an originating client (e.g., originating SIP client 20) is capable of communicating. The processor is configured to receive a registration message (e.g., REGISTER) from the terminal via the network to thereby register the terminal with the apparatus. In this regard, the registration message includes a network-independent identity of the terminal (e.g., MSISDN). The processor is configured to send a network-independent trigger to the terminal based upon the network-independent identity of the terminal to thereby trigger the terminal to update registration of the



Pat Appl., FIG. 4

terminal with the apparatus, including acquisition by the processor of a network-dependent identity of the terminal to thereby enable establishment of a communication session with the terminal based upon the network-dependent identity (see, e.g., FIG. 5 above, NON-IP TRIGGER).

In contrast to the second aspect of the present invention (and, e.g., amended independent Claim 10 in particular), Oda (or Zmolek or Dingman) does not teach or suggest an apparatus (or processor thereof) in a network receiving a registration message from a terminal via a network, the registration message including a network-independent identity of the terminal so that the terminal may be sent a network-independent trigger in a manner similar to that recited by independent Claim 1. More particularly, Oda (or Zmolek or Dingman) does not teach or suggest an apparatus including a processor configured to receive, from a terminal via a network, a registration message including a network-independent identifier of the terminal. Further, Oda (or Zmolek or Dingman) does not teach or suggest the processor being configured to send a network-independent trigger to the terminal based on the network-independent identifier to thereby acquire a network-dependent identity of the terminal to thereby enable establishment of a communication session based upon the network-dependent identity of the terminal. Again, with reference to FIG. 5 of Oda above, Oda clearly does not include a network-independent trigger (e.g., NON-IP TRIGGER) to trigger the terminal to update registration of the terminal, including acquisition of a network-dependent identity of the terminal.

Applicant therefore respectfully submits that amended independent Claim 1, and by dependency Claims 2-9, is patentably distinct from Oda. Applicant also respectfully submit that amended independent Claims 10, 19, 28, 37 and 46 recite subject matter similar to that of independent Claim 1, including the aforementioned triggering the terminal (or an apparatus) or identifying the terminal (or an apparatus) independent of the network for which a communication session may ultimately be established. As such, Applicant also respectfully submit that amended independent Claims 10, 19, 28, 37 and 46, and by dependency Claims 11-18, 20-27, 29-36, 38-45 and 47-54, are patentably distinct from Oda for at least the same reasons given above with respect to independent Claim 1.

For at least the foregoing reasons, Applicant respectfully submits that the rejection of Claims 1-3, 5, 7-13, 16-22, 25-31, 34-40, 43-49 and 52-54 as being anticipated by Oda is overcome.

B. Claims 4, 14, 23, 32, 41 and 50 are Patentable

Pending Claims 4, 14, 23, 32, 41 and 50 stand rejected as being unpatentable over Oda, in view of Zmolek. As explained above, independent Claims 1, 10, 19, 28, 37 and 46, and by dependency Claims 2-9, 11-18, 20-27, 29-36, 38-45 and 47-54, are patentably distinct from Oda. Applicant respectfully submits that Zmolek does not cure the deficiencies of Oda. That is, even considering Zmolek, neither Oda nor Zmolek, taken individually or in any proper combination, teaches or suggests the aforementioned terminal-triggering feature, as recited by the claimed invention. And there is no apparent reason for one skilled in the art still to modify Oda with the teachings of Zmolek to disclose the claimed invention. Thus, for at least the foregoing reasons as well as those given above with respect to amended independent Claims 1, 10, 19, 28, 37 and 46, Claims 4, 14, 23, 32, 41 and 50 are also patentably distinct from Oda, in view of Zmolek.

Applicant accordingly submit that the rejection of Claims 4, 6, 14, 15, 23, 24, 32, 33, 41, 42, 50 and 51, as being unpatentable over Oda, in view of Zmolek is overcome.

C. Claims 6, 15, 24, 33, 42 and 51 are Patentable

Pending Claims 6, 15, 24, 33, 42 and 51 stand rejected as being unpatentable over Oda, in view of Dingman. As explained above, amended independent Claims 1, 10, 19, 28, 37 and 46, and by dependency Claims 2-9, 11-18, 20-27, 29-36, 38-45 and 47-54, are patentably distinct from Oda. Applicant respectfully submits that Dingman does not cure the deficiencies of Oda. That is, even considering Dingman, neither Oda nor Dingman, taken individually or in any proper combination, teaches or suggests the aforementioned terminal-triggering feature, as recited by the claimed invention. And there is no apparent reason for one skilled in the art still to modify Oda with the teachings of Dingman to disclose the claimed invention. For example, given that Oda discloses that its control proxy server is located in a LAN of the user of the radio terminal, Applicant respectfully submits that one skilled in the art would not in fact have been

Appl. No.: 10/797,765
Filed: March 10, 2004
Amendment Dated March 24, 2008

motivated to modify Oda to include a firewall or NAT between the control proxy server and radio terminal, as alleged in the Official Action to support a rejection of Claims 6, 15, 24, 33, 42 and 51. Thus, for at least the foregoing reasons as well as those given above with respect to amended independent Claims 1, 10, 19, 28, 37 and 46, Claims 6, 15, 24, 33, 42 and 51 are also patentably distinct from Oda, in view of Dingman.

Applicant accordingly submit that the rejection of Claims 6, 15, 24, 33, 42 and 51, as being unpatentable over Oda, in view of Dingman is overcome.

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CONCLUSION

In view of the amendments to the claims and the remarks presented above, Applicant respectfully submits that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicant's undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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LEGAL02/30740458v1

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON MARCH 24, 2008.